''(8) A streamlined application process that only contains requirements minimally necessary for safe operation and substantially outweigh the compliance costs for an applicant.''.

(b) CLARIFICATION REGARDING PREEMPTION.—Section 41713(b) of title 49, United States Code, is amended by adding at the end the following new paragraph:

''(5) NOT APPLICABLE TO THE OPERATION OF A CIVIL UNMANNED AIRCRAFT SYSTEM.—Paragraphs (1) and (4) shall not apply to the operation of a civil unmanned aircraft system.''.

(c) EXCLUSION FROM DEFINITION OF AIR CARRIER.—Section 40102(2) of title 49, United States Code, is amended by inserting ''(but does not include an operator of civil unmanned aircraft systems)'' before the period at the end.

(d) STATE AUTHORIZATION FOR THE INTRASTATE CARRIAGE OF PROPERTY.—A State may not be prohibited from issuing an authorization (and the Federal Government may not require a Federal authorization) for the carriage of property by a commercial operator of a civil unmanned aircraft that is operating in intrastate commerce if the civil unmanned aircraft is only authorized by the State to operate—

(1) within the immediate reaches of airspace; and

(2) within the lateral boundaries of the State.

SEC. 8. DESIGNATION OF CERTAIN COMPLEX AIRSPACE.

(a) PROCESS FOR DESIGNATION.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall establish a process under which a State, local, or Tribal government may submit an application to the Administrator (in a form and manner determined appropriate by the Administrator) for the designation of an area as an area of ''complex airspace.'' Such process shall allow for individual or collective designations.

(2) TIMEFRAME FOR DECISION.—Under the process established under paragraph (1), the Administrator shall approve or disapprove a complete application for designation within 90 days of receiving the application.

(3) REVIEW OF APPLICATION.—In reviewing an application for a designation under this section, the Administrator may deny the request if the State, local, or Tribal government does not have—

(A) the financial resources to carry out the authority to be granted under the designation; or

(B) the technological capabilities necessary to carry out the authority granted to the State under the designation.

(4) DENIAL OF APPLICATION.—If the Administrator denies an application for a designation under this section, the Administrator shall provide the State, local, or Tribal government with—

(A) a detailed description of the reasons for the denial; and

(B) recommendations for changes that the State can make to correct the deficiencies in their application.

(5) APPROVAL OF APPLICATION.—If the Administrator approves an application for a designation under this section, the Administrator shall, upon the request of the State, local, or Tribal government, enter into a written agreement with the State, local, or Tribal government (which may be in the form of a memorandum of understanding) under which the Administrator may assign, and the State, local, or Tribal government may assume, one or more of the responsibilities of the Administrator with respect to the management of civil unmanned aircraft operations within the area that has been so designated.

(b) AGREEMENTS.—

(1) STATE, LOCAL, OR TRIBAL GOVERNMENT RESPONSIBILITIES UNDER AGREEMENT.—If a State, local, or Tribal government enters into an agreement with the Administrator under subsection (a)(5), the State, local, or Tribal government shall be solely responsible, and solely liable, for carrying out the responsibilities assumed in the agreement until the agreement is terminated.

(2) TERMINATION BY STATE, LOCAL, OR TRIBAL GOVERNMENT.—A State, local, or Tribal government may terminate an agreement with the Administrator under subsection (a)(5) if the State, local, or Tribal government provides the Administrator 90 days of notice.

(3) TERMINATION BY ADMINISTRATOR.—The Administrator may terminate an agreement with a State, local, or Tribal government under subsection (a)(5) if—

(A) the Administrator determines that the State, local, or Tribal government is not adequately carrying out the responsibilities assigned under the agreement; and

(B) the Administrator provides the State, local, or Tribal government with—

(i) written notification of a determination of noncompliance with the responsibilities assigned under the agreement; and

(ii) a period of not less than 180 days for the State, local, or Tribal government to take such corrective actions as the Administrator determines necessary to comply with the responsibilities assigned under the agreement.

(c) COMPLEX AIRSPACE DEFINED.—In this section, the term ''complex airspace'' means an area of airspace that—

(1) is at least 200 feet above ground level; and

(2) includes one or more structures that have a height that exceeds 200 feet above ground level.

SEC. 9. IMPROVEMENTS TO PLAN FOR FULL OPERATIONAL CAPABILITY OF UNMANNED AIRCRAFT SYSTEMS TRAFFIC MANAGEMENT.

Section 376 of the FAA Reauthorization Act of 2018 (Public Law 115–254) is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(4) Permit the testing of a State, local, or Tribal government's time, place, and manner restrictions within the immediate reaches of airspace (as defined in section 2 of the Drone Integration and Zoning Act).'';

(2) in subsection (c)—

(A) in paragraph (2), by striking ''industry and government'' and inserting ''industry, the Federal Government, and State, local, or Tribal governments'';

(B) in paragraph (3)(G), by striking ''and'' at the end;

(C) in paragraph (4)(C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new paragraphs:

''(5) establish a plan for collaboration and coordination with a State, local, or Tribal government's management of unmanned aircraft systems within the immediate reaches of airspace (as defined in section 2 of the Drone Integration and Zoning Act); and

''(6) establish a process for the interoperability and sharing of data between Federal Government, State, local, or Tribal government, and private sector UTM services.'';

(3) in subsection (d)—

(A) in paragraph (2)(J), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) shall consult with State, local, and Tribal governments.''; and

(4) in subsection (g), by inserting ''and State, local, and Tribal governments'' after ''Federal agencies''.

SEC. 10. UPDATES TO RULES REGARDING SMALL UNMANNED AIRCRAFT SAFETY STANDARDS.

Section 44805 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) ensuring that no State is prohibited from requiring additional equipage for a small unmanned aircraft system so long as such small unmanned aircraft system is solely authorized to operate in the immediate reaches of airspace (as defined in section 2 of the Drone Integration and Zoning Act) and the lateral boundaries of a State.'';

(2) in subsection (e), in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall'';

(3) in subsection (j), by striking ''may'' and inserting ''shall''; and

(4) by adding at the end the following new subsection:

''(k) REQUIREMENTS FOR ACCEPTING RISK-BASED CONSENSUS SAFETY STANDARDS.—

''(1) COST-BENEFIT ANALYSIS.—The Administrator shall not accept a risk-based consensus safety standard under subsection (a)(1) unless the Administrator has first conducted a cost-benefit analysis and certified that the benefit of the safety standard substantially outweighs the costs to the manufacturer and consumer.

''(2) MUST BE ESSENTIAL.—The Administrator shall not accept a risk-based consensus safety standard under subsection (a)(1) unless the Administrator determines that the safety standard is essential for small unmanned aircraft systems to operate safely in the Unmanned Traffic Management (UTM) System.''.

SEC. 11. RULES OF CONSTRUCTION.

(a) IN GENERAL.—Subject to subsection (b), nothing in this Act may be construed to—

(1) diminish or expand the preemptive effect of the authority of the Federal Aviation Administration with respect to manned aviation; or

(2) affect the civil or criminal jurisdiction of—

(A) any Indian Tribe relative to any State or local government; or

(B) any State or local government relative to any Indian Tribe.

(b) ENFORCEMENT ACTIONS.—Nothing in subsection (a) may be construed to limit the authority of the Administrator to pursue enforcement actions against persons operating civil unmanned aircraft systems who endanger the safety of the navigable airspace, airport operations, air navigation facilities, air traffic control systems, or other components of the national airspace system that facilitate the safe and efficient operation of civil, commercial, or military aircraft within the United States.

SA 2270. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. APPLICATION OF STATE LAW APPLICABLE TO THE USE OF MOTOR VEHICLES ON ROADS WITHIN A UNIT OF THE NATIONAL PARK SYSTEM.

(a) IN GENERAL.—Subchapter II of chapter 1015 of title 54, United States Code, is amended by adding at the end the following:

''§ 101513. State law

''(a) DEFINITIONS.—In this section:

''(1) OFF-HIGHWAY VEHICLE.—The term 'off-highway vehicle' shall be defined by the State in which the applicable System unit is located, in accordance with the law of the State.

''(2) ROAD.—The term 'road' means the main-traveled surface of a roadway open to motor vehicles that is owned, controlled, or otherwise administered by the Service.

''(b) APPLICABLE LAW.—The law of the State in which a System unit is located shall apply to the use of motor vehicles (including off-highway vehicles) on roads within a System unit.

''(c) VIOLATIONS.—Violating a provision of State law applicable to a System unit under subsection (b) shall be prohibited in the applicable System unit.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 1015 of title 54, United States Code, is amended by adding at the end the following:

''101513. State law.''.

SA 2271. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESERVATION OF WATER RIGHTS AT NATIONAL MONUMENTS.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

''(e) WATER RIGHTS.—

''(1) NO RESERVATION OF WATER RIGHTS.—In designating a national monument under subsection (a), the President may not reserve any implied or expressed water rights associated with the national monument.

''(2) APPLICABLE LAW.—Water rights associated with a national monument designated under subsection (a) may be acquired for the national monument only in accordance with the laws of the State in which the water rights are located.''.

SA 2272. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XI of division D.

SA 2273. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NEPA REVIEW OF GEOTHERMAL EXPLORATION OR DEVELOPMENT ACTIVITIES.

(a) IN GENERAL.—Section 390(b) of the Energy Policy Act of 2005 (42 U.S.C. 15942(b)) is amended by adding at the end the following:

''(6) Conversion of an oil or gas well to a geothermal well.''.

(b) GEOTHERMAL STEAM ACT OF 1970.—The Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) is amended by adding at the end the following:

''SEC. 30. NEPA REVIEW OF GEOTHERMAL EXPLORATION OR DEVELOPMENT ACTIVITIES.

''(a) IN GENERAL.—Action by the Secretary in managing land subject to geothermal leasing under this Act with respect to any of the activities described in subsection (b) shall be subject to a rebuttable presumption that the use of a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this section as 'NEPA') would apply if the activity is conducted pursuant to this Act for the purpose of exploration or development of geothermal resources.

''(b) ACTIVITIES DESCRIBED.—The activities referred to in subsection (a) are the following:

''(1) Individual surface disturbances of less than 5 acres, on the condition that—

''(A) the total surface disturbance on the lease is not greater than 150 acres; and

''(B) site-specific analysis in a document prepared pursuant to NEPA has been previously completed.

''(2) Drilling a geothermal well at a location or well pad site at which drilling has occurred during the 5-year period preceding the date of spudding the well.

''(3) Drilling a geothermal well within a developed field for which an approved land use plan or any environmental document prepared pursuant to NEPA analyzed the drilling as a reasonably foreseeable activity, on the condition that the land use plan or environmental document was approved during the 5-year period preceding the date of spudding the well.

''(4) Placement of a pipeline or transmission line in an approved right-of-way corridor, on the condition that the corridor was approved during the 5-year period preceding the date of placement of the pipeline or transmission line.

''(5) Maintenance of a minor activity, other than any construction or major renovation of a building or facility.

''(6) Conversion of an oil or gas well to a geothermal well.''.

SA 2274. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40102 of subtitle A of title I of division D, strike ''Section 404(f)(12)'' and insert the following:

(a) IN GENERAL.—Section 404(f)(12)

In section 40102 of subtitle A of title I of division D, add at the end the following:

(b) CATEGORICAL EXCLUSION.—Directional drilling for the undergrounding of wires shall be considered to be an action categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 2275. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 40206 and insert the following:

SEC. 40206. NATIONAL ENVIRONMENTAL POLICY ACT TIMELINES FOR PROJECTS FOR CRITICAL MINERAL EXTRACTION, RECOVERY, AND DEVELOPMENT.

Title I of the National Environmental Policy Act of 1969 is amended—

(1) by redesignating section 105 (42 U.S.C. 4335) as section 106; and

(2) by inserting after section 104 (42 U.S.C. 4334) the following:

''SEC. 105. APPLICABLE TIMELINES FOR PROJECTS FOR CRITICAL MINERAL EXTRACTION, RECOVERY, AND DEVELOPMENT.

''(a) DEFINITIONS.—In this section:

''(1) COVERED PROJECT.—The term 'covered project' means a proposed action that is a project for critical mineral extraction, recovery, or development.

''(2) CRITICAL MINERAL.—The term 'critical mineral' has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

''(3) ENVIRONMENTAL IMPACT STATEMENT.—The term 'environmental impact statement' means a detailed statement required under section 102(2)(C).

''(4) FEDERAL AGENCY.—The term 'Federal agency' includes a State that has assumed responsibility under section 327 of title 23, United States Code.

''(5) HEAD OF A FEDERAL AGENCY.—The term 'head of a Federal agency' includes the governor or head of an applicable State agency of a State that has assumed responsibility under section 327 of title 23, United States Code.

''(6) NEPA PROCESS.—

''(A) IN GENERAL.—The term 'NEPA process' means the entirety of every process, analysis, or other measure, including an environmental impact statement, required to be carried out by a Federal agency under this title before the agency undertakes a covered project.

''(B) PERIOD.—For purposes of subparagraph (A), the NEPA process—

''(i) begins on the date on which the head of a Federal agency receives an application for a covered project from a project sponsor; and

''(ii) ends on the date on which the Federal agency issues, with respect to the covered project—

''(I) a record of decision, including, if necessary, a revised record of decision;